

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**September 17, 2015**



**Conditional Use Permit case no. CU15-10: Cody Hall**

**CASE DESCRIPTION:** a request for approval of a Conditional Use Permit, to allow mini-warehouse/self-storage facilities and trailer/truck rentals on property in a Retail (C-2) zoning district

**LOCATION:** 10.58 acres of vacant land out of the Marie Kegan Survey, A-28, currently addressed as 10099 State Highway 30 and adjoining the northeast side of State Highway 30, approximately two/tenths of a mile southeast from its intersection with Elmo Weedon Road

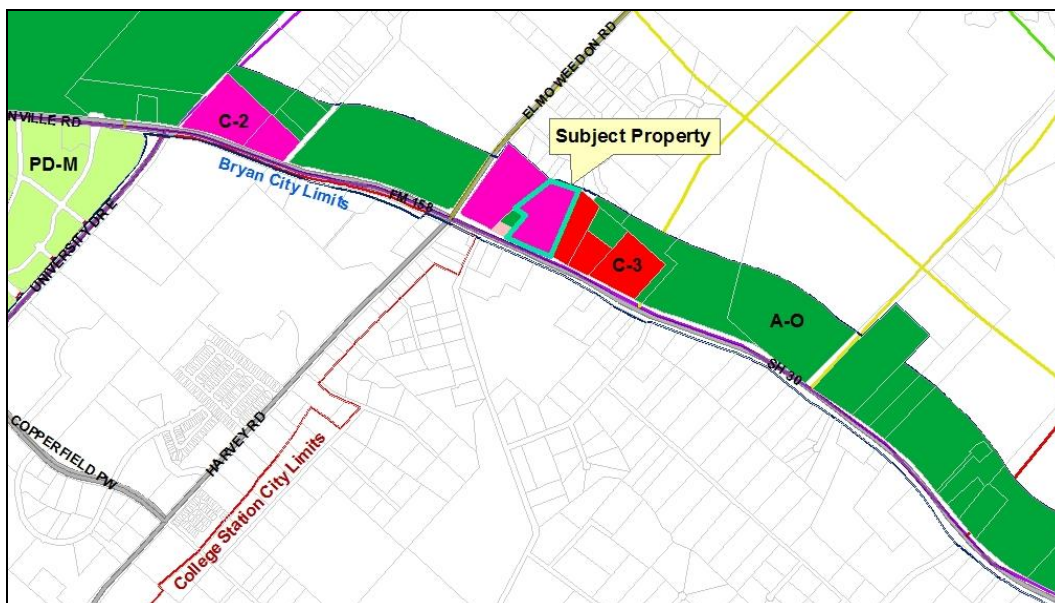
**LEGAL DESCRIPTION:** A002801, Maria Kegan (ICL), Tract 11, 10.58 Acres

**EXISTING LAND USE:** rural residential

**APPLICANT:** Cody Hall

**STAFF CONTACT:** Randy Haynes, Senior Planner

**SUMMARY RECOMMENDATION:** Staff recommends **approving** this Conditional Use Permit.



## **AERIAL PHOTO (2013):**



## **BACKGROUND:**

The subject property is 10.58 acres in size and is currently addressed as 10099 State Highway 30. The tract is located on the north side of State Highway 30, approximately two-tenths of a mile southeast from its intersection with Elmo Weedon Road. There exists two residential structures on the subject property which is zoned Retail District (C-2). During their July 16th, 2015 regular meeting, the Planning and Zoning Commission voted to recommend that the City Council approve rezoning the subject property from Agricultural –Open District (A-O) to C-2. Acting upon the P&Z recommendation, the City Council approved the second and final reading of an ordinance changing the zoning on August 25<sup>th</sup>, 2015. The adjacent property located directly east of the subject tract is zoned Retail District (C-2) and is undeveloped. The adjacent property directly to the west is zoned Commercial District (C-3) and is in use as a golf driving range. The land to the north is outside of Bryan’s city limits and therefore not regulated by zoning, and is developed with single-family homes on 1+ acre lots in the Hunter’s Creek Subdivision. 700 feet to the west, across Elmo Weedon Road, lies the 112-acre campus of the Central Baptist Church.

The Retail District (C-2) is established to provide locations for various types of general retail trade, business and service uses. The district allows shopping areas or uses which are generally compatible near or adjacent to, but not usually directly in, residential neighborhoods. These shopping areas should utilize established landscape and buffering requirements and generally be limited to two stories in height. The

Retail District should be located along or at the intersection of major collector or arterial streets to accommodate higher traffic volumes.

The applicant is requesting approval of a Conditional Use Permit to allow construction and operation of a mini-warehouse/self-storage and rental truck and trailer business. The three uses for which the applicant is requesting a conditional use permit, mini-warehouse/self-storage, trailer rental and truck rental are all potentially allowed within a C-2 District, but only with the prior approval of a conditional use permit by the Planning and Zoning Commission. The purpose of the conditional use permit process is to identify those uses which might be appropriate within a zoning district but, due to either their location, function, or operation, could have a potentially harmful impact on adjacent properties or the surrounding area; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate such adverse impacts.

According to the submitted concept site design for the proposed development, there are to be retail spaces, (which are permitted by right), across the front of the property, shielding the view of the proposed self-storage buildings from State Highway 30. The subject property lies within the FM 158 Corridor Overlay District. This overlay district specifies enhanced standards intended to result in higher quality development. The ultimate construction site design that will be submitted prior to construction will be required to meet all overlay district rules.

#### **RELATION TO BRYAN'S COMPREHENSIVE PLAN:**

The City of Bryan adopted the Comprehensive Plan Update in 2007. The plan is the framework for the establishment of zoning and other regulatory tools. The current plan includes policies and recommendations related to the various physical aspects of the community. These aspects are supported by a set of goals and objectives. The Planning and Zoning Commission shall consider the following when making a decision regarding this conditional use permit request:

##### 5.5 Land Use Policies

- The City of Bryan will encourage and promote compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically.
- The City will encourage flexibility when drafting regulations geared toward infill and redevelopment.

##### 7.3 Community Appearance Goals and Objectives

The following goal, objectives and action statements were developed to address the overall appearance and function of the City of Bryan for the next 20 years.

**GOAL: PROVIDE AN ATTRACTIVE PLACE TO LIVE, WORK AND VISIT.**

Objective A) Develop attractive entrances and corridors.

## ANALYSIS:

Approval of a Conditional Use Permit by the Planning and Zoning Commission shall be based upon the following criteria.

1. Whether the proposed conditional use conforms to applicable regulations and standards established by the Zoning Ordinance.

**The proposed mini-warehouse/self-storage and truck/trailer rental business is listed as a potential conditional use in the C-2 District. Any physical development will conform to all applicable regulations and standards established by the City Code. No variations from applicable development standards are being requested.**

2. Whether the proposed conditional use is compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features.

**Staff believes the proposed mini-warehouse/self-storage and truck/trailer rental business uses will be compatible and complementary to the retail development that is planned for the front portion of the property along SH-30. The use is less intense than most retail uses allowed by right at this location and will provide a desirable transition from Boonville Road for existing residential uses along Hunter's Run and Hunter's Cove.**

3. Whether and the extent to which the proposed conditional use potentially creates greater unfavorable effect or impacts on other existing or permitted uses on abutting sites than those which reasonably may result from the use of the site by a permitted use.

**Staff maintains that a mini-warehouse/self-storage and truck/trailer rental business at this location would not create greater unfavorable effect or impacts on abutting properties than a retail development allowed by right on this property without Conditional Use Permit approval.**

4. Whether and the extent to which the proposed conditional use affects the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

**Staff believes the proposed mini-warehouse/self-storage and truck/trailer rental uses will generate significantly less vehicle traffic than many of the uses permitted by right in the C-2 zoning district. The number of trips per day to and from this proposed development can be expected to be less than those associated with retail uses.**

5. Whether and the extent to which the proposed conditional use would reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

**Any new development on this property will be required to meet City regulations concerning erosion, flood, fire and other hazards and impacts.**

6. Whether and the extent to which the proposed conditional use adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

**The proposed expansion will be required to comply with the rules regulating signage within a retail district along SH-30 within the FM-158 / SH-30 overlay district. Often truck and trailer rental businesses display rental units to act as additional signage or to otherwise attract the attention of potential customers. Staff contends that this type of display would detract from the appearance of this entry corridor and be unfair to other retail uses along the corridor required to comply with the sign ordinance. For this reason staff recommends that should the requested conditional use permit be approved, one condition should be that all rental units be stored out of sight of SH-30.**

7. Whether and the extent to which the proposed conditional use provides adequate and convenient off-street parking and loading facilities.

**Adequate and convenient off-street parking will be provided in conformance with development standards.**

8. Whether the proposed conditional use conforms to the objectives and the purpose of the zoning district in which the development is proposed.

**Staff contends that the mini-warehouse/self-storage and truck/trailer rental business as described on the submitted conceptual plan will meet the objective and purpose of the retail zoning district within which it is proposed to be located. Staff contends that the project will serve as an appropriate transition between SH-30 and the adjacent residential uses just outside the city limits.**

9. Whether the proposed conditional use will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

**Staff believes that the proposed mini-warehouse/self-storage and truck/trailer rental business as described on the submitted conceptual plan will have few (if any) ill effects on properties or improvements in the vicinity.**

10. Whether the premises or structures are suitable for the proposed conditional use.

**Staff believes that arranged in the fashion depicted on the submitted conceptual plan, the premises are generally suitable for mini-warehouse/self-storage and truck/trailer rental uses.**

**RECOMMENDATION:**

Staff **recommends approving** the requested Conditional Use Permit to allow mini-warehouse/self-storage and truck/trailer rental uses on the subject property, **subject to the following condition:**

- **Display of rental truck or trailer units shall not be permitted within sight of SH-30.**
- **That a site plan generally in compliance with the submitted conceptual plan fulfilling all the technical requirements for development of a mini-warehouse/self-storage facility and truck/trailer rental business on the subject property shall be approved by the City of Bryan's Site Development Review Committee (SDRC), before any new building permits are issued.**